

SCOTT COUNTY KICKER

L. X.

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NO 51

DID SOMEBODY GET "COLD FEET?"

That Libel "Soot" Against the Kicker was Continued, But NOT With the Consent of the Kicker.

Tax-payers of Scott county, I want your attention! That big "windy" twelve thousand dollar libel suit against the Kicker and its editor was CONTINUED—but NOT WITH THE CONSENT OF THE EDITOR NOR HIS ATTORNEYS! WHY?

While the real issue in this case is concealed behind a newly elected official against whom this paper has made no charge, yet it is pretty generally understood that it would be more appropriate to have styled the case "The Democratic Party of Scott County vs. The Scott County Kicker." And since the Democrats are in full control, why did they back down, as it seems they did? Why was this case not tried? All along it was announced that court would hold until the docket was cleared. And this was announced as one of the "big" and "important" cases that people should come to hear. The people showed up—but the case didn't.

I did not intend to discuss this case until it was out of court. I had hoped to get it out at this time. But since it has been put off until April, and since I feel that they will never allow it to be heard at all, I will tell you all about it.

I feel that they will never allow it to be heard because they cannot afford to. They know—if they know what is contained in their own records—that I can prove it. I have never believed they would appear in court and give me a chance to prove it.

In discussing this case I want it understood that I have no ill-will toward, nor quarrel with, John McWilliams. I have never had. When the suit was first filed it will be remembered that the Kicker said, "I feel that the party is using John McWilliams as 'the goat,' and advised him not to contract for any diamonds on the strength of the money he expected to get out of the 'soot.'"

But the suit was brought in his name, hence reference to him is unavoidable. I cannot believe that Mr. McWilliams feels that I have any personal feeling against him, or that I have any desire to injure him. Up to the time A. Q. Miller associated himself with the Kicker, John was my attorney and he knows that I favored him in sending to him other clients. He also sells fire insurance, and since this controversy originated I have paid him over \$50 for insurance. In other words, he is my insurance agent. Does that appear as if I were his enemy?

Now for the facts. As already related, Mr. McWilliams was my attorney. After officials here had gone into the newspaper business I discussed the matter with him. We examined the law which makes it a crime for officials to profit from the letting of public printing. I asked what he thought of the law, and while his answer was not direct, yet he said in effect "If I were a public officer I don't believe I'd want any stock in a newspaper that was doing public printing."

Time rolled on and, last fall my former attorney was elected public prosecutor. It wasn't long until it was rumored that county officials were "unloading" their stock in their paper. As I understood it, they unloaded the direct ownership—but "the bank" holds the mortgage.

In all this I thought I could see the hand of John McWilliams—the newly elected prosecuting attorney. I felt that he would not stand for this, that and to-ther—just because "that's the way we've always done it."

So, on June 8 I addressed to him a "Wide-Open Letter" pointing out what appeared to me to be gross violations of the law by men in authority. For his convenience I gave the dates and amounts of what appeared to me to be illegal appropriations—or graft, as it is commonly termed.

The letter caused a sensation. But there was no answer. Silence prevailed. Hence, on June 17 in order to further call public attention to the matter, the following appeared in the Kicker. I want you to read it carefully—for it is one of the articles for which McWilliams wants \$2,000:

What public sentiment has done nationally it can do locally. Two weeks ago I sent a letter to the

prosecuting atty exposing the graft in the printing department of the public service. It showed that since the officials went into the newspaper business seventy-five per cent—or three dollars or five per cent—paid out for printing was graft. I spoke only of printing because I knew what I was talking about. I do not know what is going on in the other departments. But I do KNOW about printing.

Now, if it is true as I know it to be—and it is not denied—that there is such stupendous graft in the printing department, is there any reason to doubt that similar graft exists in other departments? And if it is true, as I believe that similar graft exists in other departments, is it not clear that an honest administration would result in a reduction of taxes of at least half?

Just after my article appeared quite a number of farmers met at Morley. Among other things they decided to do was to circulate petitions among the people asking the county court and all officials to obey the law. Is it not a little strange that officials who have sworn to obey the law should be asked by petition to comply with their oath of office?

But that in the situation in Scott county. And petitions will be in circulation among you to be presented at the August term of court. So that you may know the nature of this petition it is here reproduced:

"To the Judges of the Scott County, Missouri court, the Clerk thereof, and the prosecuting attorney—We, voters and tax-payers of Scott county, respectfully request that greater economy be practiced in the conduct of public affairs to the end that taxes may be lightened. Among other things it has been charged, and not successfully contradicted, that gross extravagance has been practiced in the matter of public printing, in violation of Sec. 588, which provides that 'officers SHALL accept of the most advantageous terms that can be obtained, and we insist that ALL officials comply with this and all other laws calculated to safeguard the interests of tax-payers.'"

If you are interested, cut out the petition printed above, paste it on a sheet of paper, have your neighbors sign below, and mail it to the Kicker. No matter if it is not "all up in style." They will understand.

Can any citizen who favors honest government refuse to sign such a petition as this? All that is asked is that your alleged servants comply with the law.

Do you see anything wrong about that? If a newspaper is not permitted to discuss public affairs—especially when "at paper stands ready to prove its statements—then what becomes of the constitutional guarantee of the freedom of the press? What the Kicker has said is mild compared with what recent grand juries of their own selection have said. In the same issue of June 17 appeared the following, for which John asks another \$2,000:

The people of the county were a little disappointed last week at the complete silence of Prosecuting Attorney McWilliams concerning the graft exposures in the Kicker. He will go to any part of the county to put behind the bars some poor devil who steals a ham. Why doesn't he go after the fellows right here at home who take the whole hog? John is a "good" man, hence I am anxious to see him attempt to prosecute violators of the law who are not poor and helpless. I think his utter failure and the humiliation at being kicked out at the back door of "the party" would make a good Socialist of him.

During that week I got an answer. I was notified to detach my private sewer from the public sewer. That was the first intimation that I had that the powers were taking notice. On July 15 the following appeared in the Kicker—for which John demands another \$2,000:

"Without the least ill-will toward Prosecuting Attorney McWilliams, or anyone else the Kicker has called his attention to what appear to be glaring violations of the law by men in authority—men who are especially sworn to uphold and obey the law, as is the public prosecutor himself."

"He refuses to deny the correctness of my accusations—as does also Collector Buck, who edits a paper at Morley, and to whom I have appealed for information. Both are monotonously silent. Why? "Now, if the tax-payers are being robbed to the extent that the Kicker's exposures would indicate—and it is not denied—why is our attorney to whom we pay \$700 a year to look after and defend our interests, SILENT? "To me it seems that he should either act, give reasons for non-action, or quit taking our money."

"The poor and helpless have been persecuted long enough. Let's go after those higher up—or shut up about 'equality before the law.'"

Then I got another answer. I was notified to tear down the stairs leading to my second story—although a permit to build them is on record.

On July 22 appeared the following—for which John wants still another \$2,000. Evidently he imagined that he discovered a "get-rich-quick" scheme:

"The people's attorney should fish out bait or take up his line—graff exposures up to him." Things were warming up. People were talking and wondering why the public prosecutor made no reply.

All at once—BANG! The party organs broke loose. It was discovered that, in the open letter the Kicker had made a mistake concerning the ban on job of 1910—not the editor, but A. Q. Miller, who copied the record AND WHO WAS CREDITED WITH IT. I had given the figures correctly—\$250.07.

Gosh! But the organs did pound on THAT. Yet it was entirely and wholly immaterial whether \$200 or \$250 had been paid—since the point raised by me was that the law had not been complied with in letting the work.

At a special term of county court in September a petition, signed by citizens of all political faiths was presented to the court by P. E. Daugherty and Casper and Joseph Miller—a copy of which appears above.

Wow! The "outraged silence" of officialdom had to be broken. The petitioners had to be taught a lesson—and the inquisition resulted.

Farmers were taken from their work, brought here by officers sworn, and questioned—and the question that seemed to be applied to all was, "Did you see it in the Kicker?"

Many of our "best people"—in their automobiles—attended that inquisition. But they were not brought in by officers. Evidently they came to see what could be done about it.

A \$12,000 libel suit was filed in the name of John McWilliams vs. The Kicker. But the original letter was not touched upon. They steered clear of that. The suit was based on the articles above reproduced.

Then their organs howled some more. "Hafner has got his answer," they said. But they never told how carefully the original letter containing the charges had been ignored. The Kicker is first to tell the people what there is in this "soot."

When court met my attorneys, Wilson Cramer, of Jackson, and A. Q. Miller, of Benton filed a demurrer. With the permission of the court a demurrer can be argued at any time before trial. When the opposition learned that Mr. Cramer was in Jefferson City they wanted the demurrer taken up. On Thursday of the first week of court the matter was brought up and Mr. Miller insisted that it lay over until Mr. Cramer could be present. The court gave until 9 o'clock on the following Monday morning.

At the appointed hour Mr. Cramer was present—but nobody said "demurrer."

Later in the day attorneys for McWilliams handed Mr. Cramer an amended petition. The amended petition was, in substance the same as the original.

We again demurred. When my attorneys appeared to argue the demurrer Mr. Kelly, attorney for plaintiff, said the amended petition had been drawn up by his associate counsel, Ward and Collins, of Caruthersville, and asked time to get Mr. Collins here.

The court gave him until the next evening after supper. My attorneys were on hand—but Mr. Collins wasn't.

The next day Mr. Collins came and the matter was argued. The court held the matter until the next day—and ruled against us. This meant that the case was to be tried Thursday, October 26, as docked.

and the court put it over until Thursday, November 2.

On that day the farmers were again on hand. Only four of the original panel of petit jurors, as drawn by the county court remained. The others had been put on by the sheriff—and they didn't look good to us—in a case where a Democratic official was plaintiff and a Socialist newspaper defendant.

But we decided to stand pat and go up against whatever came.

Then something happened. Mr. Cramer came in and said to me: "Mr. Collins has just been over to my room and asked for a continuance."

My answer was: "If this case is continued it will have to be done by the other side, or by the court. We are ready." Mr. Cramer so reported.

Mr. Collins took the afternoon train for Caruthersville.

The report was circulated that the case had been continued. If so, we knew nothing of it and I regarded the departure of the principal attorney as an abandonment of the "soot."

Friday evening the court announced that the case would go over until April. It was announced that the case could not be reached at this term.

So far as I could see, there never was anything to this "soot"—except to force me to spend money for lawyers and to try to scare from the Kicker its supporters. It was a continuation of that Big Bluff known as the inquisition. The whole matter appears to me to be a case of official oppression and tyranny—a continuation of what I have been subjected to for the past few months.

To me it seems that "the party" has got itself into a bad fix—damned if they do, and damned if they don't. If the suit is withdrawn it will be a confession that the Kicker has told the truth. If they go to trial the Kicker will prove it.

True, it may not do me any good so far as Scott county "justice" is concerned—to prove it before a partisan jury, but there will be another jury present not selected by the powers that be. It will be a jury that will occupy the outside of the rail and composed of citizens from every part of the county who want to know the truth. It is this jury that I want to convince.

But if John McWilliams is the man I have always considered him to be, he will not permit his political associates to "pack" a jury in a case where he is interested in the result—even if they desired to do so.

And if he wants to be entirely fair, he will insist on a jury composed equally of men of all political faiths—Democrats, Republicans and Socialists. If all are "stuck to the party" Democrats, then I concede defeat in advance. But, if I am given a shadow of a chance, I have not the least fear of the result. Neither have my attorneys.

As for Mr. McWilliams, I do not feel "sore" at him. He is the victim of conditions. He must stick TO THE PARTY. Two years ago, in the office of V. L. Harris, Mr. Harris suggested to him that he become a candidate for prosecuting attorney. "If you are his friend you will not ask him to run for prosecuting attorney," I put in. Was I right, John?

The tenant farmers of Southeast Missouri, and especially in the cotton region, are finding it a little harder than usual to make ends meet. In fact, the way the price of cotton has dropped, it looks like most of them will not only fail to pay off the mortgage, but will have to make another one. But that's what they vote for.

Why should the worker—the builder of all mansions—not have a mansion right here and now—as well as in heaven?

NOTICE TO TEACHERS The Scott county teachers association will be held in Benton Nov. 16-17-18, 1911. Convening at 1:30 o'clock, p. m.

Please be prepared to talk. Because your name does not appear on the program does not excuse you in the least. Under the new Law the Co. Supt. grades on proficiency on first grade county certificates or all other papers sent to state department on request. Now your association work will be of great value to you on future certificate. Please don't fail to be here and do all you can.

Hoping to meet you Nov-16-17-18 and wishing you success. Yours Truly Chas. D. Harris, Co. Supt.

LOS ANGELES ON THE MAP. Less than two years ago, with a crime to talk Socialism on the streets of Los Angeles, Cal. There was at that time a terrific free speech fight in that city and about a hundred Socialist speakers—men and women—were arrested and locked up. It lasted for months, but the Socialists won—as they always do.

What next? Oh, well the fool Socialist carried Los Angeles last week. That's all. But California has better election laws than we have. There it requires a clear majority over all before a candidate is declared elected. If non gets a majority the two next highest vote have to "r" it over.

In Los Angeles Joe Harriman, the Socialist candidate for mayor received 20,157. Alexander the candidate of the "Good Government League" and the present mayor, got 16,070. There were three other candidates who got a total of 5,554. Hence Harriman got only 2,333 short of a clear majority over all.

For all city offices the Socialists were either first or second and will go on the ticket for the decisive battle December 5.

The women could not vote in the election last week, because the law did not take effect in time for them to register. But they will be on hand by December 5, and it is believed the Socialists will gain by this.

Of the votes polled last week the Socialist will only have to gain 2,334, while his opponent will have to gain 6,021 to win. It is reported that over 30,000 women have already registered. Watch the fur fly off the capitalist's coat. J. Stitt Wilson, the Socialist mayor of Berkeley, Cal. says of the Los Angeles situation:

"All Joe Harriman needs now to make his victory in December certain is a few morning newspapers to support big business and Mayor Alexander, and a visit to Los Angeles by Gen. Roosevelt."

This was the statement issued by J. Stitt Wilson, Socialist mayor of Berkeley, commenting upon the result of the primary election in Los Angeles. He added:

"The awakening of Los Angeles is marvelous. The whole city is alive to the danger of plutocracy and is looking to Socialism as the only way out."

Wilson was elected mayor of Berkeley after Co. Roosevelt had made several speeches against him in Berkeley and had publicly denounced his opponent.

Don't you think it was a rather tame job for a campaign by the pesky Socialists to carry the city where an attempt is being made to railroad two labor leaders to the gallows?

THERE IS A DIFFERENCE There is a great difference between the methods employed by capitalists and Socialists. When the capitalists start out on a "campaign of education," booze and boodle is their chief asset. Voters are befuddled, bribed and debauched. Of the way the Socialists are carrying on their campaign the Chicago Socialist says:

The Socialist party now has a membership of approximately 100,000. The dues in all cases are not less than 25 cents per month, which are divided among the locals, state and the national office.

The Socialist party now has a press that numbers more than 200 papers of various kinds. It has four party dailies in English, besides two Scripps dailies in California which are supporting the Socialist tickets in Los Angeles and Sacramento.

The Socialists have three German dailies, two Finnish, one Polish, one Bohemian, and one Jewish. The latter has a circulation of 125,000. From known costs of publishing newspapers, we give below the following estimate of money paid per annum by Socialists for propaganda: Party dues, \$800,000; lectures, leaflets, etc., \$600,000; English dailies, \$250,000; Jewish dailies, \$400,000; daily foreign press, \$200,000; Appeal to Reason and Coming Nation, \$250,000; Social-Democratic Herald \$125,000; Keer Book Co., \$120,000; Rip-Saw, \$75,000; other Socialist press, \$100,000. Total, \$2,470,000.

This is an average of more than \$20 each for the party membership. This estimate is low, and the actual figures would show much more, probably \$3,000,000.

By virtue of the ownership of the tools of production the capitalist takes three-fourths of what labor produces and calls it business. Because this exploitation is sanctioned by law the capitalist is regarded as a "good man" and is sent to the United States senate. By virtue of the ownership of a bit of burglar's tools a man blows open a safe and gets a part of what the capitalist has legally stolen from the workers. Capitalist-made law does not approve of this and the burglar is sent to prison. It all depends on who makes the laws. When the Socialists get in power they will enact laws to prohibit all kinds of robbery.

What man has a God-given right to take 1-2 the corn and other man raises?

There will be no wage-slavery under Socialism.

IN THIS "FREE" COUNTRY. From the Leveville Alarm.

The strikers and citizens of East St. Louis generally were astounded when the judge ordered the arrest of Jimmy Whitmore, an apprentice boy, charging him with violating the injunction prohibiting the distribution of the Chicago Daily Socialist on the streets of East St. Louis.

When the injunction was issued about a week ago it was felt that the limit had been reached, that the judge would not dare to outrage the sentiments of humanity in addition to violating the freedom of the press.

In the warrant for the boys' arrest it was charged that he was selling copies of the Daily Socialist as a newsboy in East St. Louis. That was his only offense.

When the strike was called young Whitmore was an apprentice in the boiler shops. His family is in straightened circumstances and he was compelled to work in the shops for a pittance, and when the shopmen walked out he began selling papers that he might gain a livelihood for the family.

It was all right as long as he sold only St. Louis and Chicago capitalist papers. The courts had no objections to those papers. But when in answer to the big demand for Daily Socialists since the strike began, he started selling them on the streets, something happened in double-quick time.

The Illinois Central fears the Daily Socialist because the paper has been telling the truth about the strike.

MODERN CIVILIZATION. From the Coming Nation.

A young woman came to New York City not long ago and began to find a market for her labor power. She traveled the same way as those girls who travel before her. Yes, there were places where she might have found a shelter, but they were accidents and incidents. If she had been a wizard she might have found them, but wizards are seldom out of work.

When her money was gone she starved and walked the streets. Things became desperate. She ran the gamut of the employment agencies. She disposed of one little item of respectable wearing apparel after another until she looked shabby. Finally she was directed to a "Door of Hope," one of those places organized by philanthropy to pick up some of the thousands whom society has destroyed.

"My dear," said the kind matron, "this is a home for fallen women! I am homeless, hungry and without work; could one be fallen lower?" "Yes, lower," the matron said. Three months afterward there came a bleak-eyed disheveled human to that same "Door of Hope" and was received by that same matron. "You don't remember me?" the applicant said.

"No." "I was not eligible some months ago—I am eligible now; I'm a fallen woman!" "Victor Hugo said of Fantine: 'And, listen! I declare to you that if all is as you say—and I do not doubt it—you have never ceased to be virtuous in the sight of God.'"

I say of this twentieth century girl: Civilization robbed her of a living—made her a prostitute and then spat upon her and abandoned her. Civilization said she was a "fallen woman." Civilization lied—she was knocked down!

DON'T GET EXCITED. By Jno. M. Work.

In a previous article I pointed out that it is one of our great tasks to break down and destroy the economic conservatism in the minds of the people so that their minds will become ripe for Socialism.

We are doing it very fast. In the past ten years we have been able to see this conservatism, this prejudice against Socialism, gradually disappear before our eyes.

We have destroyed at least half in these ten years. I do not mean that half the people have come to a point where they vote the Socialist ticket, but at least half the prejudice has disappeared.

In other words the people of the United States have swung at least half-way over to Socialism in the past ten years.

In a few years the rest of the prejudice will disappear and they will swing the rest of the way.

Then their minds will be ripe for socialism. And we will then have Socialism.

But do not think the task of battering down the remainder of this prejudice is going to be easy. Recent events have been inspiring. We should make the most of them over. Do not imitate the idea that the path from here to the co-operative commonwealth is a smooth and gentle incline.

If you do you will find yourself terribly mistaken. On the contrary, there are mountains to climb, cliffs to scale, jungles to penetrate, rivers to ford and wild beasts to overcome before the goal can be reached.

We shall see plenty of reverses before our final victory. And when the reverse comes, the faint-hearted will sneak to cover as usual and leave the old guard to fight the battles. But the old guard constantly increases in numbers.

The battles will be fought. All obstacles will be overcome. The goal will be reached.

The ranks of the old guard are always open for recruits.

Don't be a fair-weather Socialist.

Don't be a faint-heart.

Don't be a craven.

Join the old guard and make up your mind that you will be on the firing line in the thick of the fight at the times that try men's souls as well as when the enemy is in retreat.

IN THE SOUTHEAST. Pensacot Argus—While Bob Hammell and DeLisle Godair were out duck hunting Saturday, October 28, in Little River a gun belonging to the latter was accidentally fired, the charge of shot striking Hammell in the back of the head causing his almost instantaneous death.

The two were hunting ducks in the river from the same hiding place, but in separate boats. Godair attempted to raise his gun to fire at some ducks, when the hammer struck the boat, causing the gun's discharge.

Godair says he heard a sound as of somebody falling after the gun fired, and called to his friend two or three times. On getting no reply, he went to the other boat and, to his horror, found Hammell lying there dead, almost the entire back part of his head having been carried away by the shot.

Pensacot Argus—Sam Kelly was shot by Hardean Morgan, better known as "Buster," Monday morning, Oct. 30 the shot taking effect in the fleshy part of the hip, inflicting a painful but not necessarily serious wound. It appears that Kelly had been working with Morgan, who has a farm on Elk Creek and had also been courting a step-daughter of his. They were engaged to be married but Kelly had circulated some bad reports concerning her the engagement had been broken and he ordered to stay away from the place. Monday morning, Kelly walked out from Bragado to Morgan's house, as he said, to get some clothes belonging to him. While there, quarrel came up between the two men, resulting in Morgan's shooting him. After being shot, Kelly walked about a mile and a half to the nearest house, where he was forced to stop from exhaustion, due to loss of blood. It is thought he will soon recover.

With so many people out of work we may expect a carnival of crime this winter. The Farmington Times says: Last Friday evening W. G. Demere, machinist of the Lead Belt Motor Co., left Farmington in a machine with his three children, for Bonnetter bridge, about 8 o'clock a rock was hurled from the side of the road, hitting him just above the temple, putting a gash about two inches long and knocking him unconscious. Another rock crashed thru the windshield, hitting his little boy but not hurting him seriously. The children say they thought they heard a noise as if someone was running over the underbrush after them machine had stopped. Whether it was an attempted hold-up, or pure deviltry on the part of persons throwing the rocks, Mr. Demere does not know. If the former, the cries of the children probably scared them away. The same night there were several hold-ups in Bonne Terre. Lex Moon was snatched and robbed on the way home from his saloon; an old man named Wm. Franklin, who lived near Bonnetter, was knocked down and robbed, and a railroad man was waylaid and robbed.

Farmington Times—Monday morning the dead body of T. J. Buckner, an old and highly respected citizen of Marion township, was found behind the smoke-house of his residence. He was lying stretched out on his back with a shot-gun lying between his knees and extending along his body to the chest. His face was shot entirely away, no vestige of his features left. Mr. Buckner arose before the other members of the family, made the fires and went out into the yard. Soon he returned to the house and asked his nephew, Clifford Bryington where the ammunition was, saying that he saw something he wanted to shoot. Shortly afterward the report of the gun was heard.

At a meeting held on Oct. 28 at the Canoy school house near Sikeston, the land owners of the specially formed road district decided to rock King's Highway for a distance of 12 miles leading into Sikeston.

Last week fire broke out in the Matthews Lumber Co. yards at Sikeston, doing \$5,000 damage before the fire could be checked. Cause of fire unknown.

While playing with a dynamite cap Johnnie Garrett, a 12-year-old Campbell boy, exploded the cap, tearing off one of his forefingers.

The violators of the law paid in Iron county a total of \$705 in to the circuit court last week—mostly for selling liquor without license.

A Pensacot county grand jury is to investigate the lynching of the two negroes at Caruthersville recently.

And Pensacot county wants its books examined. A good idea. Sikeston is open to have city delivery of mails.

Caruthersville is trying for city delivery of mails.